

## **REMARKS**

Applicant thanks Examiner Squires for his time and courtesy during the July 19, 2005 telephonic interview with the Applicant, Mr. George Alexandropoulos, and with the Applicant's representative, Attorney Michael Rodriguez.

Claims 1-26 were presented for examination. The final Office Action dated June 3, 2005 rejects claims 1-26. This paper amends claims 1, 11, 17, and 25. Claims 1-26 remain pending in the application.

### **Rejection under 35 U.S.C. 102(b)**

The Office Action rejects claims 1-4, 7-21 and 23-25 under 35 U.S.C. 102(b) as anticipated by Schramm (U.S. Patent No. 4,425,597). Applicant respectfully traverses the rejection, to the extent it is maintained against the claims as now amended, because Schramm does not disclose every element and limitation of the Applicant's invention as now claimed.

As now set forth in representative claim 1, the Applicant's invention has a locking element that restricts access to a restricted-access space defined within an enclosure. The number of trigger events is counted during successive time intervals, each of predetermined duration. In addition, the number of trigger events counted in each time interval is associated with one digit of a digit sequence that represents a code being submitted to actuate the locking element and gain access to the restricted-access space. Each digit of the digit sequence corresponds to the number of trigger events counted during one of the successive time intervals and can have a value greater than one.

Schramm discloses an electronic combination lock that uses *binary* lock combinations. To unlock the combination lock, a user closes and opens a switch (10S) in a proper sequence to produce a binary code. During each time interval, Schramm latches the current state of the switch (10S) into a register. That current state can only be a one or a zero. For example, during four successive time intervals this switch (10S) produces four bits of ones and/or zeros corresponding to the open-closed sequence produced by the user. These bits are compared bit-by-bit to the mechanical settings of rocker switches in a minidip switch, which holds the preprogrammed code used to unlock the lock. Consequently, each digit of the sequence submitted by the user has at most a value of one. Therefore, unlike the Applicant's invention, Schramm's electronic combination lock does not disclose or suggest a digit sequence in which each digit of the digit sequence corresponds to the number of trigger events counted during one time interval and can have a value greater than one, as now set forth in the Applicant's claimed invention. Applicant respectfully submits that this rejection to the claims is thus overcome.

Independent claims 11 and 17 have been amended to recite language similar to the language recited in claim 1. Therefore, these independent claims are also patentably distinguishable over Schramm for at least those reasons provided in connection with claim 1. In addition, dependent claims 2-4, 7-10, 12-16, 18-21, and 23-25 depend directly or indirectly from patentable independent claims 1, 11, and 17, and incorporate all of their respective limitations, and therefore are also patentably distinguishable over Schramm for at least those reasons provided in connection with those independent claims. Moreover, each dependent claim recites an additional limitation, which, in combination with the elements and limitations of its

respective independent claim, further distinguishes that dependent claim from Schramm. Therefore, the Applicant respectfully submits that the rejection against these claims is also overcome.

**Rejection under 35 U.S.C. 103(a)**

The Office Action rejects claims 5-6 and 26 under 35 U.S.C. 103(a) as being obvious over Schramm and Anderson (U.S. Patent No. 5,021,776). Applicant respectfully traverses this rejection, to the extent it is maintained against the claims as amended, because these claims depend directly or indirectly from patentable independent claims 1 and 17, and incorporate all of the limitations of their respective independent claims and are therefore patentable for at least those reasons provided above in connection with claim 1. Moreover, each dependent claim recites an additional limitation, which, in combination with the elements and limitations of its respective independent claim, further distinguishes that dependent claim from the cited references, whether taken alone or in combination.

**Rejection under 35 U.S.C. 103(a)**

The Office Action rejects claim 22 under 35 U.S.C. 103(a) as being obvious over Schramm and Godau (U.S. Patent No. 5,781,125). Applicant respectfully traverses this rejection, to the extent it is maintained against the claims as amended, because claim 22 depends indirectly from patentable independent claim 17, and incorporates all of the limitations of this independent claim and is therefore patentable for at least those reasons provided above in connection with claim 17. Moreover, dependent claim 22 recites an additional limitation, which, in combination with the elements and limitations of its respective independent claim, further distinguishes that dependent claim from the cited references, whether taken alone or in combination.

**CONCLUSION**

While it is believed that this paper addresses all of the Office Action's rejections to the pending claims, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, the arguments presented above are not necessarily exhaustive, and there may be additional unexpressed reasons for patentability of any or all pending claims.


In view of the amendments and arguments made herein, Applicant submits that the application is in condition for allowance and request early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the Applicant's representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508) 303-2003.

Respectfully submitted,

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